

REMARKS

Claims 8 and 65-67 are pending. Of these, claims 65 and 66 have been withdrawn from consideration as being directed to a non-elected invention.

Applicants respectfully request rejoinder of claims 65 and 66 in accordance with the provisions of MPEP § 821.04 since these claims depend from independent claim 8 and therefore include all elements of the composition.

Claim 8 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Lewis (US 3,873,494) taken with Ongchin (US 4,246,142).

Applicants respectfully traverse the rejection.

Applicants submit that the cited references do not teach or suggest the presently claimed invention whether taken alone or in combination.

Present independent claim 8 recites a rubber material composition consisting essentially of carboxylated acrylonitrile-butadiene rubber; 10 to 60 wt parts of polyolefin based resin for 100 wt parts of said carboxylated acrylonitrile-butadiene rubber; and a vulcanizing agent consisting of peroxides. The polyolefin based resin is selected from the group consisting of carboxylic modified polyethylene and carboxylic modified polypropylene and the carboxylated acrylonitrile-butadiene rubber comprises a carboxyl group in an amount of 2×10^{-3} to 5×10^{-2} ephr.

Lewis discloses carboxylated acrylonitrile butadiene. However Lewis does not disclose, teach or suggest a polyolefin based resin selected from the group consisting of carboxylic modified polyethylene and carboxylic modified polypropylene.

Ongchin also fails to disclose, teach or suggest a polyolefin based resin selected from the group consisting of carboxylic modified polyethylene and carboxylic modified polypropylene.

The paragraph bridging pages 19-20 of the present specification provides the following:

If polyethylene and polypropylene are carboxyl-modified, they are easily adsorbed to several kinds of rubbers or oxides by the carboxyl group in the structure. Since the carboxyl group existing in the carboxylated acrylonitrile-butadiene rubber being the raw rubber has the same effect as above mentioned, owing to a synergistic effect thereby, the mechanical strength such as the tensile strength, the abrasion resistance and the bending-fatigue resistance are assumed to be more improved.

As described above, the use of a carboxylic modified polyethylene or carboxylic modified polypropylene achieves synergistic effect with the carboxylated acrylonitrile butadiene rubber. Neither of Lewis nor Ongchi teaches, suggests this feature of the present invention or recognizes the advantageous effects. Thus, for at least this reason the present invention is not obvious over the cited references.

Moreover, neither of Lewis nor Ongchi discloses the specific value of the amount of carboxyl groups in the carboxylated acrylonitrile-butadiene rubber being 2×10^{-3} to 5×10^{-2} ephr as recited in present claim 8. For this additional reason, the present invention is not rendered obvious by the cited references.

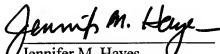
Claims 65-67 depend from claim 8 and are patentable for at least the same reasons.

Accordingly, Applicants respectfully request withdrawal of the rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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Date: June 19, 2008